

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:10-CR-350-2-BR

UNITED STATE OF AMERICA )  
                                )  
                                )  
v.                            )                                  ORDER  
                                )  
                                )  
JOSEPH NADIR NELSON     )

This matter is before the court on defendant's "placeholder" motion. (DE # 171.)

Defendant filed the motion to preserve his position to timely file a 28 U.S.C. § 2255 should the Fourth Circuit Court of Appeals allow his motion for authorization to file a second or successive § 2255 motion in this court. (See id. at 2-3.) The Fourth Circuit Court of Appeals recently denied defendant's motion for authorization. In re Nelson, No. 19-477 (4th Cir. Jan. 16, 2020). Therefore, defendant's placeholder motion is DENIED.

This 10 February 2020.



---

W. Earl Britt  
Senior U.S. District Judge